



## U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

March 8, 2021

**BY ECF**

Hon. John G. Koeltl  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

The Order in ECF No. 30 directed at the BOP is withdrawn.

SO ORDERED.

New York, New York /s/ John G. Koeltl  
March 8, 2021 John G. Koeltl, U.S.D.J.

**Re: United States v. Minter, 20 Crim. 389 (JGK)**

Dear Judge Koeltl:

On March 5, 2021, the Court issued an order directing the Bureau of Prisons (“BOP”) to transfer the defendant from Essex County Jail to the Metropolitan Correctional Center (“MCC”) as soon as possible. Dkt. 30. After discussions with the BOP and the United States Marshals Service (“USMS”), the Government asks the Court to withdraw that order for the following reasons:

1. Attorney Robert Walters, who has not entered an appearance on behalf of the defendant, stated at the March 5 conference that Essex County was not allowing in-person attorney visits, and the Government understands that was the primary reason the Court ordered the defendant’s transfer. The Government understands from the USMS that Essex County is in fact currently allowing “partition visits,” where attorneys can meet with inmates with a glass screen between them.
2. The Government understands from the BOP that any order directing relocation of a prisoner should be directed to the USMS, rather than the BOP.
3. The USMS has informed the Government that construction is currently ongoing at the MCC, which makes it difficult for the MCC to accept transfers of prisoners.

In light of the foregoing, the USMS has asked the Government to request that the Court withdraw its order directing the relocation of the defendant from Essex County to the MCC as

soon as possible, although the Government does understand that the USMS will plan to move the defendant to the MCC in advance of trial.

The defendant does not object to the Government's request.

Respectfully Submitted,

AUDREY STRAUSS  
United States Attorney

by: /s/ Kevin Mead  
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Assistant United States Attorney  
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CC: Derek A. Cohen, Counsel for Dave Minter (by ECF)